

27 OCT 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:

Applicant(s): Horace W. Hale et al.

Serial No: 10/651,871

Filing Date: August 29, 2003

Title: FACET IMPLANT

Examiner: David Comstock

Art Unit: 3733

Docket No. HORA.P0101US

RESPONSE TO OFFICE ACTION DATED AUGUST 18, 2009

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Favorable reconsideration of the above-referenced application is respectfully requested in view of the following attachments:

**Amendments to the Claims
Remarks**

In the event any fee or additional fee is due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (under the above Docket Number). In the event an extension of time is needed to make the filing of this paper timely and no separate petition is attached, please consider this a petition for the requisite extension and charge the fee to our Deposit Account No. 18-0988 (under the above Docket Number).